

**REMARKS**

Claims 1, 3-9, 11-17, 22, 44, 58-65 are pending and under examination. Claim 44 has been canceled. Claim 1 has been amended. New claims 69-82 have been added. Support for the amendment and new claims can be found throughout the specification and the claims as filed. In particular, support for new claims 66-68, which separately claim members of the Markush group recited in base claim 1, can be found in claim 1. Support for new claims 69-82 can be found, for example, in claims 1, 3-9, 13-17, 22 and 58. Accordingly, these amendments and new claims do not raise an issue of new matter and entry thereof is respectfully requested.

Regarding the status of the claims, Applicants note that, of the pending claims, only claims 1, 3-6, 9, 11, 12, 22, 44 and 58 have been rejected. Accordingly, Applicants assume that claims 7, 8, 13-17 and 59-65 are considered allowable.

Regarding the Information Disclosure Statement

In the Office Action, it is indicated that reference A18 has not been considered because a legible copy of the reference unambiguously showing the Yu et al. reference was not provided. Applicants apologize for any inconvenience and submit herewith a legible copy of the Yu et al. reference along with a 1449 with columns for the Examiner's signature. Applicants respectfully request that the documents be expressly considered during the prosecution of this application, and that the documents be made of record herein.

Rejection Under 35 U.S.C. § 102

The rejection of claims 1, 3-6, 9, 11, 12, 22, 44 and 58 under 35 U.S.C. § 102(e) as allegedly anticipated by Arts et al., WO 2004/094636, is respectfully traversed. Applicants respectfully submit that this rejection has been rendered moot with respect to claim 44 by the cancellation of this claim. With respect to the remaining claims, Applicants respectfully submit that the claimed compounds are novel over Arts et al.

In the Office Action, Arts et al. is asserted to describe a sequence that is 21 nucleotides in length and which comprises the reverse complement of SEQ ID NO:35. Arts et al. is further asserted to describe a double stranded sequence that would necessarily comprise a 21 nucleotide

sequence that includes SEQ ID NO:35. Without addressing the merits of the rejection and in order to further prosecution, claim 1 has been amended to delete SEQ ID NO:35, thereby rendering the rejection moot. Accordingly, Applicants respectfully request that this rejection be withdrawn.

With respect to new claims 69-82, independent claim 69 is directed to a compound 12 to 50 nucleobases in length targeted to a region comprising nucleotide 901 to 950 of the nucleic acid molecule encoding diacylglycerol acyltransferase 2 in SEQ ID NO: 4, wherein the compound is 100% complementary to the nucleic acid molecule encoding diacylglycerol acyltransferase 2, and wherein the compound comprises at least an 8 nucleobase portion of SEQ ID NO: 35. In contrast to the claimed compounds, Arts et al. provides no teaching or suggestion of the compound of independent claim 69. Accordingly, Applicants respectfully submit that the compounds of new claim 69 and dependent claims 70-82 are novel and unobvious over Arts et al.

In light of the amendments and remarks herein, Applicants submit that the claims are now in condition for allowance and respectfully request a notice to this effect. The Examiner is invited to call the undersigned agent if there are any questions.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,  
McDERMOTT WILL & EMERY LLP

/Deborah L. Cadena/

Deborah L. Cadena  
Registration No. 44,048

11682 El Camino Real, Suite 400  
San Diego, CA 92130  
Phone: 858.720.3300 DLC:llf  
Facsimile: 858.720.7800  
**Date: March 2, 2010**

**Please recognize our Customer No. 71476  
as our correspondence address.**